

POX CPA

10-29-03

KPA/3683

#12
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MANUAL OF PATENT EXAMINING PROCEDURE

201.06(d)
OCT 28 2003
PATENT & TRADEMARK

Please type a plus sign (+) inside this box → ☒

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:
☐ DUPLICATE

Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No.	
	First Named Inventor	PREUKSCHAT
	Examiner Name	Pezzlo, B.A
	Group / Art Unit	3683
	Express Mail Label No.	EU226152644US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),
(continued prosecution application (CPA)) of prior application number 10 / 008,895
filed on 12/07/01, entitled CONTROLLABLE VIBRATION DAMPER ...

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

CIP NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request 37 C.F.R. § 1.78(b).

- ☒ Enter the unentered amendment previously filed on 22 September 2003
under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
 - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☐ PTO-1449
 - ☐ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual applicant. Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

I hereby certify that the enclosed correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 10/30/2003
Express Mail No. EU226152644US

MAX FOGIEL
Name of applicant, assignee or Registered Representative
Signature
Date of Signature 10-30-03

GROUP 3600

NOV 04 2003

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10/30/2003 BABRAH1 00000072 10008895

01 FC:1006
July 1998

770.00 OP

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TYPES, CROSS-NOTING, AND STATUS OF APPLICATION

201.06(d)

Please type a plus sign (+) inside this box → **+**

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	6	-20* =	None	x \$ _____ =	\$ _____
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	1	-3** =	None	x \$ _____ =	\$ _____
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	\$ _____
				BASIC FEE (37 C.F.R. § 1.16)	770.00
				Total of above Calculations =	770.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.					
TOTAL =					770.00

6. Small entity status:

a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.

b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1444:

a. ☐ Fees required under 37 C.F.R. § 1.16.

b. ☐ Fees required under 37 C.F.R. § 1.17.

c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☒ A check in the amount of \$ 770.00 is enclosed.

9. ☐ Other: _____

NOTE: The prior applications correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Max Fogiel
Signature	<i>Max Fogiel</i>
Registration No. (Attorney/Agent)	19,170
Date	10-27-03